

INFORMATION LETTER

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NATIONAL CANNERS ASSOCIATION

For Members
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FRUIT STANDARDS PROMULGATED

Regulations on Canned Apricots, Cherries, and Pears Effective in Ninety Days

Regulations establishing for canned apricots, cherries, and pears, standards of identity, quality, and fill of container, were promulgated by the Secretary of Agriculture on January 9, 1940, by their publication in the *Federal Register*, and will go into effect the ninetieth day thereafter. Particular attention is called to the label requirements of these regulations, for the exact words specified in the regulations must be used on the labels of these three canned fruits.

The texts of the standards in the form of regulations, as promulgated by the Secretary, are reprinted in this issue of the LETTER:

CANNED APRICOTS

Definition and Standard of Identity

§ 27.010 *Canned apricots—Identity; label statement of optional ingredients.*

(a)

(1) Canned apricots are the food prepared from mature apricots. Such apricots, except in the case of whole apricots, are pitted and are in one of the following forms of units: unpeeled whole; peeled whole; unpeeled halves; peeled halves; unpeeled quarters; peeled quarters; unpeeled slices; peeled slices; unpeeled mixed pieces of irregular sizes and shapes; peeled mixed pieces of irregular sizes and shapes. Apricots in each form of units are an optional apricot ingredient.

(2) To one such apricot ingredient is added one of the following optional liquid packing media:

(A) A sirup of refined sugar (sucrose), of not less than 10° Brix but less than 25° Brix.

(B) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 10° Brix but less than 25° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(C) A sirup of refined sugar (sucrose), of not less than 25° Brix but less than 40° Brix;

(D) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 25° Brix but less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(E) A sirup of refined sugar (sucrose), of not less than 40° Brix but less than 55° Brix;

(F) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 40° Brix but less than 55° Brix (such refined sugar (sucrose) equivalent is calculated by adding the per-

cent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(G) A sirup of refined sugar (sucrose), of not less than 55° Brix;

(H) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 55° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(1) Apricot juice;

(J) Water.

(3) Spice may be added.

(4) Flavoring may be added.

(5) The food may be seasoned with one or more of the following optional seasonings:

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CONVENTION PREPARATIONS COMPLETED

Additional Address on War Department Industrial Plan Scheduled for Opening Session

A discussion of the War Department's plan for mobilization of American industry in event of participation in a war has been added to the program of the 1940 convention of the National Canners Association at Chicago the week of January 21. Major Paul P. Logan, Quartermaster Corps, at present assigned to the faculty of the Army Industrial College at Washington, D. C., has been secured to speak on this subject, which is of great interest to all canners. "M-Day" has been given wide attention by industries generally since the outbreak of the European war.

As outlined in detail in the last issue of the INFORMATION LETTER, the convention will hear Senator Walter F. George of Georgia; Arthur C. Nielsen, pioneer in scientific marketing research; Dr. Neil Carothers, reporting on his economic survey of the canning industry; James W. Young, director of the Bureau of Foreign and Domestic Commerce; B. Frank Kyker, acting chief of the Business Education Service of the U. S. Office of Education; Judge J. Harry Covington, counsel for the Association; Dr. E. J. Cameron, director of the Association's Washington Laboratory; Carlos Campbell, director of the Association's Division of Statistics, and many others.

The Greater Chicago Hotel Association has announced that Chicago hotels will feature canned foods on their menus during convention week in appreciation of the annual meeting of the industry, and in recognition of the great advances made by the canning industry.

Hotel reservations indicate that there will be a very large attendance at both the canners' convention and at the annual meetings of the allied associations.

CONGRESS CONVENES

Hears President—Receives Annual Budget Estimates for Fiscal Year

The last scheduled session of the 76th Congress convened on January 3 and the President presented an opening message in which he discussed current foreign affairs in relation to the domestic economy. The following day Congress received the annual budget estimates for the fiscal year commencing July 1, 1940.

On Monday the House began a three-day debate of the anti-lynching bill, while the Senate discussed Senator Harrison's plan for a joint Congressional study of the President's budget and tax recommendations. Later in the week, the House is expected to take up the first appropriation measure of the session; a bill to make up deficiencies in annual appropriations for the current year.

The budget estimates submitted to Congress by the President call for increased appropriations for the administration and enforcement of the Food, Drug, and Cosmetic Act and for a substantial increase in the funds for enforcement of the wage and hour law.

The estimate for administration of the new food and drug law calls for a total appropriation of \$2,537,780, an increase of \$249,400 over the amount made available for the year ending June 30, 1939. Of the estimated total, \$209,540 would be allotted for the formulation of food standards, an increase of approximately \$80,000 over the current year's appropriation, and \$115,000 over the funds appropriated for the fiscal year 1939.

Exclusive of any further deficiency appropriations, Congress has granted \$3,461,200 for administration and enforcement of the wage and hour law. The budget estimate for the next fiscal year recommends an appropriation of \$6,185,000. The Wage and Hour Division has stated that it would require an annual appropriation of about \$7,700,000 for effective enforcement of the Act.

Senator Wiley of Wisconsin introduced several amendments to the Fair Labor Standards Act on January 8, one of which proposes the deletion of the "area of production" phrase in Section 13 (a) (10) of the Act. The deletion of this language would remove the "area of production" limitation on the exemption and would make this exemption from the wage and hour provisions applicable "to any individual engaged in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market." The bill (S. 3047) was referred to the Senate Committee on Education and Labor where it is now pending along with the Thomas and Miller bills. The provisions of these later bills were reported in the INFORMATION LETTER last spring.

Argentine and Uruguayan Trade Negotiations End

Negotiations in progress on reciprocal trade agreements between this country and Argentina and Uruguay have been terminated, according to announcements this week by the U. S. Department of State.

Changes in Can-Size List Proposed by Committee

At the meeting on December 18 and 19 in Washington of the Association's Committee on Simplification of Containers, a number of changes were proposed in the list of can sizes recommended for the use of the industry by the report of July 1, 1939, of the National Bureau of Standards. These changes, and the product classification affected, are shown in the following table:

Product Classification	Change Proposed
Corn on the Cob	Eliminate all recommended can sizes for this product.
Kraut	Change classification to "Kraut and Kraut Juice". Add 300x407, and eliminate 303x406.
Vegetable Juices	Change classification to "Other Vegetable Juices".
Pimientos	Add 211x200.
Tomatoes	Add 211x304.
Baked Beans	Add 307x214, and eliminate 300x407.
Beans with Pork or Sauce	Add 404x700, and 211x200.
Soup	Add 211x200.
Kidney Beans	Add 303x406, and 404x700.
Fruit Juices	Add 307x409, and eliminate 303x509.
Olives	Add 211x300, and eliminate 211x304.
Lemon Juice	Add 404x700.
Tomato Juice	Add 301x411.
Spaghetti	Add 300x509.
Grapefruit Juice	Add 202, without designating height; eliminate 202x308; and add 300x407.
Beans, Green and Wax (including Whole Beans Asparagus Style)	Change classification to read "Beans, Green and Wax". No. 95 to be eliminated and to be set up for asparagus style whole beans only.

Food Standards Committee to Receive Proposals on Canned Fruits for Salad and Cocktail

The Food Standards Committee will receive proposals on canned fruits for salad and canned fruit cocktail at its open session on January 29. Proposals and recommendations of interested parties should include a definition and standard of identity, a standard of quality and fill of container for each of these products.

The session will be held in the South Building of the Department of Agriculture, beginning at 10 a. m.

The Committee consists of two men from the Food and Drug Administration and four State food officials.

Use of Red-Colored Tomato on Substandard Label

The use of a red-colored tomato on the vignette of a label which is to be placed on cans of tomatoes that are substandard because of poor color, has been declared misleading by the Food and Drug Administration. This opinion was included in a letter recently written by the Administration in answer to an inquiry. The pertinent paragraph of this letter follows:

"The vignette of a tomato on the proposed label represents a full, red-colored tomato, which in our opinion is definitely misleading when used on the label for tomatoes which fall below the standard because of poor color. You understand, of course, that there is no compulsion to use a vignette of a tomato on the label at all, but, if a picture of a tomato does appear on labels for canned tomatoes which are substandard because of poor color, the color of the tomato should more nearly approximate the color of the tomatoes used in canning

the particular off-colored product. If you desire to include a vignette on this label, we think the color should approximate the color of the vignettes for culls on the enclosed sheet for U. S. Grades for Cannery Tomatoes."

Supreme Court Refuses to Review A. & P. Case

The United States Supreme Court last week refused to review the decision of the Circuit Court of Appeals for the Third Circuit which had upheld the action of the Federal Trade Commission in issuing a cease and desist order against the Great Atlantic & Pacific Tea Co. The Commission, it will be recalled, had ordered the A. & P. Co. to cease and desist from accepting discounts or allowances from, or reductions in, the seller's regular price, where the discount, allowance, or reduction represents the savings in brokerage fees which the seller realizes by making the sale direct to the A. & P. Co. rather than through a broker.

The A. & P. appealed the Commission's decision to the Circuit Court of Appeals which approved the Commission's action. A further appeal was prosecuted to the United States Supreme Court. As the Supreme Court refused to entertain this appeal, the decision of the Commission becomes final and its order against the A. & P. Co. will continue in effect.

The decisions of the Commission and of the Circuit Court of Appeals in this case were reviewed in the INFORMATION LETTERS of February 5, 1938, p. 5442, and September 30, 1939, p. 5996.

Unsold Stocks of Canned Salmon

Unsold stocks of canned salmon on December 31, 1939, totaled 2,140,931 actual cases, compared with 2,256,037 cases on November 30, 1939, and with 2,769,415 cases on December 31, 1938, according to statistics compiled by the Association of Pacific Fisheries. The figures for 1939 are based on reports from 81 companies, producing an estimated 99 per cent of the 1939 pack. The figure for December 31, 1938, is based on reports from 79 companies, producing an estimated 98 per cent of the 1938 pack.

The following table provides statistics of canned salmon stocks by grades or varieties and by can sizes for December 31, 1939, with totals compared with December 31, 1938:

GRADES OR VARIETIES	Talls (1 pound) Cases	Flats (1 pound) Cases	Halves (8 dozen) Cases	Total Dec. 31, 1939	Total Dec. 31, 1938
Chinooks or Kings:					
Fancy Red.....	10,208	5,154	21,786	37,148	74,284
Standard.....	620	5,381	7,279	13,280	25,747
Pale.....	638	139	874	1,651	2,849
White.....	180	16	37	233	1,949
Puget Sound Sockeyes.....	9	8,450	23,055	31,514	51,089
Alaska Reds.....	1,243,398	14,267	108,311	1,365,976	1,271,974
Cohoos, Silvers, Med.					
Reds.....	42,802	10,416	40,668	93,886	126,036
Pinks.....	401,625	7,921	36,141	445,687	1,028,526
Chums.....	144,458	5	5,115	149,578	183,477
Bluebacks.....			363	363	1,526
Steelheads.....		397	1,218	1,615	1,958
Totals.....	1,843,938	52,146	244,847	2,140,931	2,769,415

Brokerage Payments to Wholesaler Prohibited

A cease and desist order prohibiting the payment of brokerage to Jake Felt, trading as The Fruit and Produce Exchange, of Memphis, Tenn., was issued by the Federal Trade Commission on December 22, 1939.

The Commission found that Jake Felt, trading as The Fruit and Produce Exchange, was engaged in the business of a jobber of various produce and food stuffs. In addition, he was the principal stockholder and president of M. E. Carter & Co., also of Memphis, a wholesale dealer in produce and food stuffs.

The Commission found that Jake Felt had purchased in interstate commerce the requirements of both The Fruit and Produce Exchange and M. E. Carter & Co., and that in connection with his purchases the sellers had paid him brokerage, although he rendered no services for the sellers. This payment of brokerage was declared by the Commission to be in violation of Section 2(c) of the Robinson-Patman Act.

WAGE-HOUR DIVISION REPORTS ACTIVITIES

Review of First Year's Work Includes Discussion of "Area of Production" Problems

The Wage and Hour Division submitted to Congress Monday, January 8, the first annual report of its administration of the Fair Labor Standards Act. The report opens with a brief sketch of the socio-economic history of the United States in which the objectives of the wage and hour law are summarized.

In subsequent chapters the report outlines the work of the Division in interpreting the Act and, in handling complaints and litigation.

Under the heading "Defining Area of Production" the report to Congress presents the case of the Division for the issuance of the limited definition of this exempting phrase of the Act under which cannery and others must operate. "To grant no exemption," the report states, "would be to nullify the provision Congress had written into the Act. Unlimited exemptions, on the other hand, are stated throughout the Act as unlimited exemptions, and it would be presumptuous to assume that the 'area of production' limitation * * * was intended merely as a form of words without content. * * * A definition of 'area of production' broad enough to exempt all the members of a group (e.g., cannery and packers of fresh fruits and vegetables) under Section 13 (a) (10) therefore would render meaningless the partial hours exemption in Section 7 (c). Such nullification would violate a cardinal rule of statutory construction. The definition adopted represented a cautious effort to reconcile these alternatives and to create a minimum of discrimination and economic dislocation."

"The administrator has not ignored the fact that there have been complaints about the 'area of production' definitions," the report continues. "Nor has he overlooked the fact that in numerous instances there is a measure of competitive hardship created by the existing definitions. However, in all the numerous conferences held with representatives of industry by the administrator and members of his staff, and in all the numerous communications that have been received, there is no indication that any single definition or group of definitions would fail to create similar difficulties at the dividing line, wherever it might be drawn. The only point at which no competitive disturbance would arise is the point of complete exemption on the one hand and complete denial of exemption on the other. The impropriety under the law of either of these alternatives has been explained above. The regulations permit and the administrator will continue to entertain petitions for further amendments of the regulations. However, during the last few months the number of such petitions has declined notably

and it appears from all the information at the Wage and Hour Division's disposal that little would be gained by administrative alteration of the present definitions unless and until more practical formulas have been developed."

Reported in the last issue of the INFORMATION LETTER was the statement of Colonel Fleming, the special assistant to the Secretary of Labor directing the activities of the Wage and Hour Division, that he would have no recommendations for amendment of the Act to make to Congress. In this connection the report of the Division states:

"The administrator is not prepared at the present time to make any recommendations for additional legislation. As of the time of the writing of this report, the Division has under way a number of studies dealing with the operation of the Act and of the regulations issued thereunder. Particular emphasis is being given to the study of the regulations defining the term 'area of production,' which appears in two places in the Act. Other studies under way deal with the problem of industrial homework, the effect of the law on higher paid salaried employees, the application of the Act to messengers, and a number of other matters covered by bills introduced at the last session of Congress. It is impossible to forecast whether the results of these studies will lead to recommendations for changes of the Act."

"Methods of Treating Cannery Waste" Published

A report covering studies on cannery waste treatment, conducted cooperatively by the Wisconsin State Board of Health, the National Canners Association, and the Wisconsin Canners Association, has been published by the Association and is being distributed this week to members. It is entitled "Methods of Treating Cannery Waste," and was written by L. F. Warrick, F. J. McKee, and H. E. Wirth of the Wisconsin State Board of Health, and by N. H. Sanborn of the Association's Washington Research Laboratory.

Virginia Cannery Association Meets February 27-28

The Virginia Cannery Association will hold its annual convention at Hotel Roanoke, Roanoke, Va., on February 27 and 28.

Sugar Quotas for 1940 Announced

The total supply of sugar required to meet consumers' needs for 1940 has been determined by the Department of Agriculture, under the provisions of the Sugar Act of 1937, to be 6,725,100 short tons, raw value, compared with 6,755,386 short tons, the 1939 amount in effect before the quotas were suspended in September.

Ten-Ton Tomato Club Contest in Maryland

Nearly 250 tomato growers entered the Annual Ten-Ton Tomato Club contest, sponsored by the University of Maryland, and 25 qualified for membership by producing ten or more tons to the acre. The yields of the four prize winners were: Percy Shortall, Easton, 17.735 tons per acre from 2.542 acres; Wade Perkins, Forest Hill, 14.545 tons to the acre from 4.42 acres; John F. Kolk, Long Green, 16.916 tons per acre from 6.219 acres; and Dudley Baynard, Trappe, 16.198 tons per acre from 8.498 acres.

Supplies of Winter Vegetables Smaller This Year

Supplies of fresh vegetables for the winter markets are indicated to be somewhat smaller generally than a year earlier, according to the Bureau of Agricultural Economics. Although the acreage planted to winter vegetables in the Southern States and California and Arizona is indicated to be slightly larger than that of a year earlier, unfavorable growing conditions have reduced production of a number of products.

The total supply of dry edible beans is indicated to total 17,000,000 bags, or only about 2 per cent less than the record supply available last year. Supplies of white and lima beans are slightly less than last season, but the supplies of colored beans exceed the previous record high level.

California Acreage for Spinach in 1940

Reports received from California canners by the Agricultural Marketing Service show intentions to contract a total of 11,520 acres of spinach for canning or processing in 1940. This estimate is based on information received from all spinach canners known to be operating in the State this year. The intended planting of 11,520 acres in 1940 compares with 8,120 acres in 1939, and is the largest acreage in the State since 1937.

Navy Commissary Uses Canned Food Recipes

A naval officer in charge of the commissary department of one of the major naval stations, who sometime ago requested a number of the publications of the Association's Home Economics Division dealing with utilization of canned foods and with quantity recipes, has written the Division expressing his appreciation. He states in his letter that some of the quantity recipes will be used in a new Navy cook book and that information on canned foods will be provided in Navy training courses. A portion of his letter follows:

"I wish to thank you for the permission to use all or parts of the publications which you forwarded in connection with the revision of the Navy Cook Book and Navy Training Courses. I have not been able to completely cover these publications but have perused them sufficiently to determine that much of the information can be used in its present form or adapted to our use with minor revisions.

"Due to our limited storage facilities on board ship, at times we are confronted with the problem of compiling menus almost entirely from canned fruits and vegetables; of course, meats are available either frozen or canned.

"It is through the cooperation of associations such as the National Cannery and commercial concerns that we in the Navy are able to keep pace with the developments in the preparation, cooking and serving of food, which includes the serving of balanced diets at all times."

Belgian Origin Mark on Canned Fish Postponed

The Belgian government has postponed a decree requiring that canned fish imported into Belgium must carry an indication of the country of origin. The decree was to become effective December 12, 1939, but now will become effective January 1, 1941.

EXPORTS AND IMPORTS OF CANNED FOODS

The quantity of exports of canned vegetables, soups, sardines, apples, and fruit salad and fruit cocktail were larger in November, 1939, than in November, 1938, according to Department of Commerce figures. The total exports of canned vegetables and canned sardines each increased about 2,000,000 pounds, and exports of pork and beans doubled. The exports of canned soups increased from 279,662 pounds in November, 1938, to 2,252,595 pounds in November, 1939. Exports of total meats, canned milk, salmon, and total fruits dropped. Exports of fruits were about 8,500,000 pounds smaller. Imports of anchovies, tuna fish, crab meat, and dutiable

pineapple increased. Imports of tomatoes decreased considerably. Exports during the first eleven months of 1939 were larger, when compared with the same months in 1938, for total canned meats, total vegetables, evaporated milk, sardines, shrimp, and total canned fruits. Decreases appeared for exports of condensed milk, canned salmon, and other individual items. The following table, compiled from the figures of the Department of Commerce, shows exports and imports during November, 1938 and 1939, and during the first eleven months of the two years:

Exports	November, 1938		November, 1939		Jan.-Nov., 1938		Jan.-Nov., 1939	
	Pounds	Value	Pounds	Value	Pounds	Value	Pounds	Value
Meats, total.....	1,202,948	\$371,624	839,008	\$258,377	12,333,907	\$4,136,125	12,918,044	\$3,984,131
Beef, corned, etc.....	84,456	10,770	93,662	20,532	534,847	116,352	397,303	80,304
Other beef.....	78,264	29,644	32,383	13,499	1,311,805	477,313	1,016,003	390,476
Pork.....	741,809	256,721	512,930	170,295	7,834,049	2,901,099	8,073,098	2,707,957
Sausage.....	150,298	41,349	122,181	37,979	1,246,969	354,654	1,667,734	471,710
Other meat.....	148,061	33,140	77,852	16,072	1,406,237	286,707	1,763,906	324,684
Vegetables, total.....	3,071,206	339,880	5,835,814	372,945	37,307,105	3,284,500	48,408,684	4,004,009
Asparagus.....	901,075	118,823	547,908	52,040	10,602,330	1,497,767	11,536,922	1,567,038
Beans, baked and with pork.....	590,508	27,096	1,058,329	43,359	5,180,768	226,906	5,941,355	245,586
Corn.....	306,477	21,806	157,404	10,236	2,108,491	155,701	2,678,099	186,282
Peas.....	770,186	59,457	372,428	28,480	4,483,335	329,696	5,157,490	354,794
Soups.....	279,662	28,404	2,252,595	136,684	2,902,795	822,777	8,651,909	654,138
Tomatoes.....	338,884	20,390	579,880	27,408	1,681,294	106,111	2,409,659	130,797
Tomato paste and puree.....	104,413	6,097	427,576	29,038	3,687,329	173,192	3,206,726	209,856
Tomato juice.....	224,797	14,248	177,448	9,642	2,930,867	172,380	3,229,915	187,562
Other vegetables.....	455,204	42,968	462,246	36,058	3,729,896	340,030	5,536,629	467,956
Condensed milk.....	258,727	25,319	144,883	18,148	5,071,746	599,080	2,147,852	239,741
Evaporated milk.....	2,033,818	130,262	1,875,833	126,337	21,500,081	1,483,455	24,882,192	1,629,455
Fish:								
Salmon.....	4,606,786	645,496	2,985,028	532,775	43,501,640	6,548,432	38,234,325	6,074,536
Sardines.....	5,688,863	387,288	7,328,282	508,764	34,803,132	2,388,928	50,625,201	3,432,578
Other fish.....			273,243	32,987			1,846,520	168,524
Shellfish—								
Shrimp.....	696,034	123,332	436,920	51,994	4,656,245	909,400	5,701,536	885,018
Other shellfish.....	74,406	13,255	48,985	9,482	1,482,789	242,845	802,623	137,564
Fruits, total.....	33,122,280	2,182,339	24,589,313	1,773,732	281,637,411	20,515,575	348,421,515	24,083,349
Grapefruit.....	114,606	7,597	9,861	784	32,207,011	2,107,965	46,633,825	2,522,147
Loganberries.....	79,648	5,729	119,738	8,576	3,851,024	315,293	3,967,429	308,105
Other berries.....	128,042	12,502	50,416	5,902	1,245,706	126,607	1,086,242	103,904
Apples and sauce.....	1,753,459	75,975	2,868,668	135,454	11,439,568	506,745	15,806,791	681,772
Apricots.....	3,397,911	211,827	1,781,145	120,921	31,120,812	2,079,003	37,741,145	2,486,487
Cherries.....	604,292	43,386	182,117	15,680	4,822,458	400,110	3,304,811	307,945
Prunes.....	212,241	13,193	773,105	35,039	1,366,590	107,913	1,874,339	114,659
Peaches.....	11,083,880	687,735	7,042,571	447,618	72,625,920	4,687,831	90,227,679	5,547,684
Pears.....	10,956,112	697,358	6,472,294	491,358	66,323,341	4,487,549	73,862,210	5,151,699
Pineapple.....	1,794,203	139,455	1,093,046	84,564	17,028,638	1,351,083	22,735,652	1,744,691
Fruit salad and cocktail.....	2,681,705	253,749	3,873,497	403,187	36,118,596	3,713,128	46,813,158	4,739,955
Other fruits.....	346,781	33,833	322,838	24,643	3,487,747	331,348	4,348,234	374,301
Fruit juices (in gallons):								
Pineapple.....			14,892	8,370			744,948	407,611
Grapefruit.....			35,506	14,479			2,145,704	688,093
Orange.....			9,409	6,411			453,772	324,712
Other fruit juices.....			31,151	31,805			386,173	355,326
Imports								
Meat:								
Beef.....	5,945,650	633,493	4,439,268	422,537	71,778,202	7,665,242	82,511,852	8,236,533
Other meats.....	8,104	2,545	10,476	2,151	195,252	52,198	172,209	46,307
Milk—condensed and evaporated..	130,804	10,656	31,518	1,765	615,542	54,040	194,160	11,113
Fish:								
Packed in oil—								
Sardines.....	2,524,475	349,932	2,404,631	382,110	19,853,733	2,914,660	30,182,099	4,442,811
Anchovies.....	127,662	48,089	329,491	111,434	1,769,445	780,940	2,238,312	806,384
Tuna.....	491,794	89,631	919,170	159,304	6,851,677	1,188,215	9,535,022	1,558,573
Other fish in oil.....	58,289	17,122	79,500	16,402	538,494	145,544	568,905	139,435
Other fish not in oil.....	1,621,492	155,919	2,037,788	219,448	13,155,170	1,209,441	14,401,772	1,359,357
Caviar and other roe.....	24,277	13,805	22,399	33,311	271,474	190,716	176,842	165,388
Shellfish—								
Crab meat and sauce.....	222,293	76,723	2,450,819	837,778	7,572,361	2,657,513	12,382,775	4,208,835
Clams and oysters.....	69,201	16,736	36,047	7,899	609,496	130,511	747,757	171,354
Lobsters.....	15,354	7,117	82,014	24,926	651,813	303,097	844,400	370,649
Other shellfish.....	1,421,844	100,887	764,497	89,008	11,958,545	938,324	12,214,636	1,016,489
Vegetables:								
Peas.....	79,161	6,795	22,816	2,268	403,934	34,745	1,092,322	119,153
Pimientos.....	11,562	1,555	3,750	527	729,270	93,900	145,976	18,757
Mushrooms.....	103,296	21,148	145,163	28,038	822,769	189,647	833,671	166,539
Tomatoes.....	10,777,180	385,619	2,788,221	125,296	55,873,170	2,188,159	50,561,036	2,099,338
Tomato paste and sauce.....	774,460	54,087	842,180	75,399	8,477,842	565,837	6,252,925	490,804
Other vegetables.....	26,683	1,556	36,591	1,808	209,419	12,102	197,066	9,901
Fruit:								
Pineapple, dutiable.....	554,878	27,268	3,941,118	156,528	9,794,297	564,280	26,941,220	1,207,359
Pineapple, free (Philippines).....	2,474,223	99,450			19,152,630	892,077	44,632,363	1,671,567
Mandarin oranges.....	70,092		207,921	11,070				

FRUIT STANDARDS PROMULGATED

(Continued from page 6075)

- (A) A vinegar;
 (B) Apricot pits (except in the case of whole apricots), not more than 1 to each 8 ounces of finished canned apricots;
 (C) Apricot kernels (except in the case of whole apricots and except when optional seasoning (B) is present).
 (6) The food is sealed in a container and so processed by heat as to prevent spoilage.
 (7) The liquid of the finished canned apricots is not more than 40° Brix.

(b)

(1) The label shall name the optional apricot ingredient present by the use of the words "Unpeeled Whole," "Peeled Whole," "Unpeeled Halves," "Peeled Halves," "Unpeeled Quarters," "Peeled Quarters," "Unpeeled Slices" or "Unpeeled Sliced," "Peeled Slices" or "Peeled Sliced," "Unpeeled Mixed Pieces of Irregular Sizes and Shapes," or "Peeled Mixed Pieces of Irregular Sizes and Shapes."

(2) The label shall also bear the words "In Light Sirup" or "In Light Syrup," showing the presence of optional liquid packing medium (A) or (B); or the words "In Medium Sirup" or "In Medium Syrup," showing the presence of optional liquid packing medium (C) or (D); or the words "In Heavy Sirup" or "In Heavy Syrup," showing the presence of optional liquid packing medium (E) or (F); or the words "In Extra Heavy Sirup" or "In Extra Heavy Syrup," showing the presence of optional liquid packing medium (G) or (H); or the words "In Apricot Juice," showing the presence of optional liquid packing medium (I); or the words "In Water," showing the presence of optional liquid packing medium (J).

(3) If spice is present, the label shall bear the word or words "Spiced" or "With Added Spice" or "Spice Added."

(4) If flavoring is present, the label shall bear the words "With Added Flavoring" or "Flavoring Added."

(5) If an optional seasoning ingredient is used, the label shall bear the words "Seasoned with Vinegar," "Seasoned with Apricot Pits," or "Seasoned with Apricot Kernels," as the case may be.

(6) If spice and flavoring, or spice, flavoring, and an optional seasoning, or spice and an optional seasoning, or flavoring and an optional seasoning, are present, the label may bear a combination of words, as, for example, "With Added Spice, Flavoring, and Vinegar."

(7) Wherever the name "Apricots" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the apricots may so intervene.

Standard of Quality

§ 27.011 Canned apricots—Quality; label statement of substandard quality.

(a)

The standard of quality for canned apricots is as follows:

- (1) All units tested in accordance with the method prescribed in subsection (b) are pierced by a weight of not more than 300 grams;
 (2) In the cases of halves and quarters, the weight of each unit is not less than $\frac{7}{8}$ ounce and $\frac{1}{2}$ ounce, respectively;
 (3) In the cases of whole apricots, halves, and quarters,

the weight of the largest unit in the container is not more than twice the weight of the smallest unit therein;

(4) Not more than 20 per cent of the units in the container are blemished with scab, hail injury, discoloration, or other abnormalities;

(5) In the cases of whole apricots, halves, and quarters, all units are untrimmed, or are so trimmed as to preserve normal shape; and

(6) Except in the case of mixed pieces of irregular sizes and shapes, not more than 5 per cent of the units in a container of 20 or more units, and not more than 1 unit in a container of less than 20 units, is crushed or broken. (A unit which has lost its normal shape because of ripeness and which bears no mark of crushing shall not be considered to be crushed or broken.)

(b)

Canned apricots shall be tested by the following method to determine whether or not they meet the requirements of clause (1) of subsection (a):

So trim a test piece from the unit as to fit, with peel surface up, into a supporting receptacle. If the unit is of different firmness in different parts of its peel surface, trim the piece from the firmest part. If the piece is unpeeled, remove the peel. The top of the receptacle is circular in shape, of $1\frac{1}{8}$ inches inside diameter, with vertical sides; or rectangular in shape, $\frac{3}{4}$ inch by 1 inch inside measurements, with ends vertical and sides sloping downward and joining at the center at a vertical depth of $\frac{3}{4}$ inch. Use the circular receptacle for testing units of such size that a test piece can be trimmed therefrom to fit it. Use the rectangular receptacle for testing other units. Test no unit from which a test piece with rectangular peel surface at least $\frac{1}{2}$ inch by 1 inch cannot be trimmed. Test the piece by means of a round metal rod $\frac{3}{16}$ inch in diameter. To the upper end of the rod is affixed a device to which weight can be added. The rod is held vertically by a support through which it can freely move upward or downward. The lower end of the rod is a plane surface to which the vertical axis of the rod is perpendicular. Adjust the combined weight of the rod and device to 100 grams. Set the receptacle so that the surface of the test piece is held horizontally. Lower the end of the rod to the approximate center of such surface, and add weight to the device at a uniform, continuous rate of 12 grams per second until the rod pierces the test piece. Weigh the rod and weighted device. Test all units in containers of 50 units or less, except those units too small for testing or too soft for trimming. Test at least 50 units, taken at random, in containers of more than 50 units; but if less than 50 units are of sufficient size and firmness for testing, test those which are of sufficient size and firmness.

(c)

If the quality of canned apricots falls below the standard prescribed in subsection (a) of this section, the label shall bear the general statement of substandard quality specified in section 10.020 (a), in the manner and form therein specified; but in lieu of such general statement of substandard quality, the label may bear the alternative statement "Below Standard in Quality . . ." the blank to be filled in with the words specified after the corresponding number of each clause of subsection (a) of this section which such canned apricots fail to meet, as follows: (1) "Not Tender"; (2) "Small Halves," or "Small Quarters," as the case may be; (3) "Mixed Sizes"; (4) "Blemished"; (5) "Unevenly Trimmed"; (6) "Partly Crushed or Broken." Such alternative statement shall immediately and conspicuously precede or follow, without intervening written, printed, or graphic

matter, the name "Apricots" and any words and statements required or authorized to appear with such name by section 27.010 (b).

Standard of Fill of Container

§ 27.012 *Canned apricots—Fill of container; label statement of substandard fill.*

(a)

The standard of fill of container for canned apricots is the maximum quantity of the optional apricot ingredient which can be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredient.

(b)

If canned apricots fall below the standard of fill of container prescribed in subsection (a) of this section, the label shall bear the general statement of substandard fill specified in section 10.020 (b), in the manner and form therein specified.

CANNED CHERRIES

Definition and Standard of Identity

§ 27.030 *Canned cherries—Identity; label statement of optional ingredients.*

(a)

(1) Canned cherries are the food prepared from mature cherries of one of the following varietal groups: red sour, light sweet, dark sweet. They may be unpitted or pitted. Unpitted cherries of each such varietal group, and pitted cherries of each such varietal group, are an optional cherry ingredient.

(2) To one such cherry ingredient is added one of the following optional liquid packing media:

(A) In the cases of sweet cherries or red sour cherries, a sirup of refined sugar (sucrose), of not less than 10° Brix but less than 20° Brix;

(B) In the cases of sweet cherries or red sour cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 10° Brix but less than 20° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(C) In the case of sweet cherries, a sirup of refined sugar (sucrose), of not less than 20° Brix but less than 30° Brix; in the case of red sour cherries, a sirup of refined sugar (sucrose), of not less than 20° Brix but less than 40° Brix;

(D) In the case of sweet cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 20° Brix but less than 30° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup); in the case of red sour cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 20° Brix but less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(E) In the case of sweet cherries, a sirup of refined sugar (sucrose), of not less than 30° Brix but less than 40° Brix;

in the case of red sour cherries, a sirup of refined sugar (sucrose), of not less than 40° Brix but less than 60° Brix;

(F) In the case of sweet cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 30° Brix but less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup); in the case of red sour cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 40° Brix but less than 60° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(G) In the case of sweet cherries, a sirup of refined sugar (sucrose), of not less than 40° Brix; in the case of red sour cherries, a sirup of refined sugar (sucrose), of not less than 60° Brix;

(H) In the case of sweet cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup); in the case of red sour cherries, a sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 60° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(I) Cherry juice;

(J) Water.

(3) Spice may be added.

(4) Flavoring may be added.

(5) The food may be seasoned with the following optional seasoning:

(A) A vinegar.

(6) The food is sealed in a container and so processed by heat as to prevent spoilage.

(7) In the case of sweet cherries, the liquid of the finished canned cherries is not more than 35° Brix; in the case of red sour cherries, the liquid of the finished canned cherries is not more than 45° Brix.

(b)

(1) The label shall name the optional cherry ingredient present by the use of the words "Red Sour"; "Red Sour Pitted"; "Light Sweet"; "Light Sweet Pitted"; "Dark Sweet"; or "Dark Sweet Pitted."

(2) The label shall also bear the words "In Light Sirup" or "In Light Syrup," showing the presence of optional liquid packing medium (A) or (B); or the words "In Medium Sirup" or "In Medium Syrup," showing the presence of optional liquid packing medium (C) or (D); or the words "In Heavy Sirup" or "In Heavy Syrup," showing the presence of optional liquid packing medium (E) or (F); or the words "In Extra Heavy Sirup" or "In Extra Heavy Syrup," showing the presence of optional liquid packing medium (G) or (H); or the words "In Cherry Juice," showing the presence of optional liquid packing medium (I); or the words "In Water," showing the presence of optional liquid packing medium (J).

(3) If spice is present, the label shall bear the word or words "Spiced" or "With Added Spice" or "Spice Added."

(4) If flavoring is present, the label shall bear the words "With Added Flavoring" or "Flavoring Added."

(5) If the optional seasoning ingredient is used, the label shall bear the words "Seasoned with Vinegar."

(6) If spice and flavoring, or spice, flavoring, and the optional seasoning, or spice and the optional seasoning, or flavoring and the optional seasoning, are present, the label may bear a combination of words, as, for example, "With Added Spice, Flavoring, and Vinegar."

(7) Wherever the name "Cherries" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the cherries may so intervene.

Standard of Quality

§ 27.031 *Canned cherries—Quality; Label statement of substandard quality.*

(a)

The standard of quality for canned cherries is as follows:

(1) In the case of pitted cherries, not more than 1 pit is present in each 20 ounces of canned cherries, as determined by the method prescribed in subsection (b) (1);

(2) In the case of unpitted cherries, the weight of each cherry in the container is not less than $\frac{1}{10}$ ounce;

(3) In the case of unpitted cherries, the weight of the largest cherry in the container is not more than twice the weight of the smallest cherry therein;

(4) In the case of unpitted cherries, the total weight of pits is not more than 12 per cent of the weight of drained cherries, as determined by the method prescribed in subsection (b) (2); and

(5) Not more than 15 per cent by count of the cherries in the container are blemished with scab, hail injury, discoloration, scar tissue, or other abnormality. A unit showing skin discoloration having an aggregate area not exceeding that of a circle $\frac{3}{16}$ inch in diameter and not extending into the fruit tissue shall not be considered as blemished.

(b)

(1) Pitted canned cherries shall be tested by the following method to determine whether or not they comply with the requirements of clause (1) of subsection (a):

Take at random such number of containers as to have a total quantity of contents of at least 24 pounds. Open the containers and weigh the contents. Count the pits and pieces of pits in such total quantity. Count a piece of pit equal to or smaller than $\frac{1}{2}$ pit as $\frac{1}{2}$ pit; count a piece of pit larger than $\frac{1}{2}$ pit as 1 pit. From the combined weight of the contents of all the containers, calculate the average number of pits in each 20 ounces of canned cherries.

(2) Unpitted canned cherries shall be tested by the following method to determine whether or not they comply with the requirements of clause (4) of subsection (a):

Tilt the opened container so as to distribute the contents over the meshes of a circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, or 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is No. 8 woven wire cloth which complies with the specifications for such cloth set forth on page 3 of "Standard Specifications for Sieves," published October 25, 1938, by U. S. Department of Commerce, National Bureau of Standards. Without shifting the cherries, so incline the

sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained cherries. The weight so found, less the weight of the sieve, shall be considered to be the weight of drained cherries. Pit the cherries and wash the pits free from adhering flesh. Drain and weigh the pits by the method prescribed above. Divide the weight of pits so found by the weight of drained cherries, and multiply by 100.

(c)

If the quality of canned cherries falls below the standard prescribed in subsection (a) of this section, the label shall bear the general statement of substandard quality specified in section 10.020 (a), in the manner and form therein specified; but in lieu of such general statement of substandard quality, the label may bear the alternative statement "Below Standard in Quality" the blank to be filled in with the words specified after the corresponding number of each clause of subsection (a) of this section which such canned cherries fail to meet, as follows: (1) "Partially Pitted"; (2) "Small"; (3) "Mixed Sizes"; (4) "Thin Fleshed"; (5) "Blemished." Such alternative statement shall immediately and conspicuously precede or follow, without intervening written, printed, or graphic matter, the name "Cherries" and any words and statements required or authorized to appear with such name by section 27.030 (b).

Standard of Fill of Container

§ 27.032 *Canned cherries—Fill of container; label statement of substandard fill.*

(a)

The standard of fill of container for canned cherries is the maximum quantity of the optional cherry ingredient which can be sealed in the container and processed by heat to prevent spoilage, without crushing such ingredient.

(b)

If canned cherries fall below the standard of fill of container prescribed in subsection (a) of this section, the label shall bear the general statement of substandard fill specified in section 10.020 (b), in the manner and form therein specified.

CANNED PEARS

Definition and Standard of Identity

§ 27.020 *Canned pears—Identity; label statement of optional ingredients.*

(a)

(1) Canned pears are the food prepared from mature pears. Such pears, except in the case of whole pears, are cored and are in one of the following forms of units: peeled whole; unpeeled whole; peeled halves; unpeeled halves; peeled quarters; peeled slices; peeled dice; peeled mixed pieces of irregular sizes and shapes. Pears in each form of units are an optional pear ingredient.

(2) To one such pear ingredient is added one of the following optional liquid packing media:

(A) A sirup of refined sugar (sucrose), of not less than 10° Brix but less than 20° Brix;

(B) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 10° Brix but less than 20° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(C) A sirup of refined sugar (sucrose), of not less than 20° Brix but less than 30° Brix;

(D) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 20° Brix but less than 30° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(E) A sirup of refined sugar (sucrose), of not less than 30° Brix but less than 40° Brix;

(F) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 30° Brix but less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(G) A sirup of refined sugar (sucrose), of not less than 40° Brix;

(H) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(I) Pear juice;

(J) Water.

(3) Spice may be added.

(4) Flavoring may be added.

(5) The food may be seasoned with the following optional seasoning:

(A) A vinegar.

(6) The food is sealed in a container and so processed by heat as to prevent spoilage.

(7) The liquid of the finished canned pears is not more than 35° Brix.

(b)

(1) The label shall name the optional pear ingredient present by the use of the word or words "Whole," "Unpeeled Whole," "Halves," "Unpeeled Halves," "Quarters," "Slices" or "Sliced," "Dice" or "Diced," or "Mixed Pieces of Irregular Sizes and Shapes."

(2) The label shall also bear the words "In Light Sirup" or "In Light Syrup," showing the presence of optional liquid packing medium (A) or (B); or the words "In Medium Sirup" or "In Medium Syrup," showing the presence of optional liquid packing medium (C) or (D); or the words "In Heavy Sirup" or "In Heavy Syrup," showing the presence of optional liquid packing medium (E) or (F); or the words "In Extra Heavy Sirup" or "In Extra Heavy Syrup," showing the presence of optional liquid packing medium (G) or (H); or the words "In Pear Juice," showing the presence of optional liquid packing medium (I); or the words "In Water," showing the presence of optional liquid packing medium (J).

(3) If spice is present, the label shall bear the word or words "Spiced" or "With Added Spice" or "Spice Added."

(4) If flavoring is present, the label shall bear the words "With Added Flavoring" or "Flavoring Added."

(5) If the optional seasoning ingredient is used, the label shall bear the words "Seasoned with Vinegar."

(6) If spice and flavoring, or spice, flavoring, and the optional seasoning, or spice and the optional seasoning, or flavoring and the optional seasoning, are present, the label

may bear a combination of words, as, for example, "With Added Spice, Flavoring, and Vinegar."

(7) Wherever the name "Pears" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the pears may so intervene.

Standard of Quality

§ 27.021 Canned pears—Quality; label statement of sub-standard quality.

(a)

The standard of quality for canned pears is as follows:

(1) All units tested in accordance with the method prescribed in subsection (b) are pierced by a weight of not more than 300 grams;

(2) In the cases of halves and quarters, the weight of each unit is not less than $\frac{3}{8}$ ounce and $\frac{3}{16}$ ounce, respectively;

(3) In the cases of whole pears, halves, and quarters, the weight of the largest unit in the container is not more than twice the weight of the smallest unit therein;

(4) Except in the case of unpeeled pears, there is present in the finished canned pears not more than 1 square inch of peel per each 1 pound of net contents;

(5) Not more than 20 per cent of the units in the container are blemished with scab, hail injury, discoloration, or other abnormalities;

(6) In the cases of whole pears, halves, and quarters, all units are untrimmed, or are so trimmed as to preserve normal shape; and

(7) Except in the case of mixed pieces of irregular sizes and shapes, not more than 10 per cent of the units in a container of 10 or more units, and not more than 1 unit in a container of less than 10 units, is crushed or broken. (A unit which has lost its normal shape because of ripeness and which bears no mark of crushing shall not be considered to be crushed or broken.)

(b)

Canned pears shall be tested by the following method to determine whether or not they meet the requirements of clause (1) of subsection (a);

So trim a test piece from the unit as to fit, with peel surface up, into a supporting receptacle. If the unit is of different firmness in different parts of its peel surface, trim the piece from the firmest part. If the piece is unpeeled, remove the peel. The top of the receptacle is circular in shape, of $1\frac{1}{8}$ inches inside diameter, with vertical sides; or rectangular in shape, $\frac{3}{4}$ inch by 1 inch inside measurements, with ends vertical and sides sloping downward and joining at the center at a vertical depth of $\frac{3}{4}$ inch. Use the circular receptacle for testing units of such size that a test place can be trimmed therefrom to fit it. Use the rectangular receptacle for testing other units. Test no unit from which a test piece with rectangular peel surface at least $\frac{1}{2}$ inch by 1 inch cannot be trimmed. Test the piece by means of a round metal rod $\frac{5}{16}$ inch in diameter. To the upper end of the rod is affixed a device to which weight can be added. The rod is held vertically by a support through which it can freely move upward or downward. The lower end of the rod is a plane surface to which the vertical axis of the rod is perpendicular. Adjust the combined weight of the rod and device to 100 grams. Set the receptacle so that the surface of the test piece is held horizontally. Lower the end of the rod to the approximate center of such surface,

(4) If flavoring is present, the label shall bear the words "With Added Flavoring" or "Flavoring Added."

(5) If the optional seasoning ingredient is used, the label shall bear the words "Seasoned with Vinegar."

(6) If spice and flavoring, or spice, flavoring, and the optional seasoning, or spice and the optional seasoning, or flavoring and the optional seasoning, are present, the label may bear a combination of words, as, for example, "With Added Spice, Flavoring, and Vinegar."

(7) Wherever the name "Cherries" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the cherries may so intervene.

Standard of Quality

§ 27.031 *Canned cherries—Quality; Label statement of substandard quality.*

(a)

The standard of quality for canned cherries is as follows:

(1) In the case of pitted cherries, not more than 1 pit is present in each 20 ounces of canned cherries, as determined by the method prescribed in subsection (b) (1);

(2) In the case of unpitted cherries, the weight of each cherry in the container is not less than $\frac{3}{16}$ ounce;

(3) In the case of unpitted cherries, the weight of the largest cherry in the container is not more than twice the weight of the smallest cherry therein;

(4) In the case of unpitted cherries, the total weight of pits is not more than 12 per cent of the weight of drained cherries, as determined by the method prescribed in subsection (b) (2); and

(5) Not more than 15 per cent by count of the cherries in the container are blemished with scab, hail injury, discoloration, scar tissue, or other abnormality. A unit showing skin discoloration having an aggregate area not exceeding that of a circle $\frac{3}{16}$ inch in diameter and not extending into the fruit tissue shall not be considered as blemished.

(b)

(1) Pitted canned cherries shall be tested by the following method to determine whether or not they comply with the requirements of clause (1) of subsection (a):

Take at random such number of containers as to have a total quantity of contents of at least 24 pounds. Open the containers and weigh the contents. Count the pits and pieces of pits in such total quantity. Count a piece of pit equal to or smaller than $\frac{1}{2}$ pit as $\frac{1}{2}$ pit; count a piece of pit larger than $\frac{1}{2}$ pit as 1 pit. From the combined weight of the contents of all the containers, calculate the average number of pits in each 20 ounces of canned cherries.

(2) Unpitted canned cherries shall be tested by the following method to determine whether or not they comply with the requirements of clause (4) of subsection (a):

Tilt the opened container so as to distribute the contents over the meshes of a circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, or 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is No. 8 woven wire cloth which complies with the specifications for such cloth set forth on page 3 of "Standard Specifications for Sieves," published October 25, 1938, by U. S. Department of Commerce, National Bureau of Standards. Without shifting the cherries, so incline the

sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and drained cherries. The weight so found, less the weight of the sieve, shall be considered to be the weight of drained cherries. Pit the cherries and wash the pits free from adhering flesh. Drain and weigh the pits by the method prescribed above. Divide the weight of pits so found by the weight of drained cherries, and multiply by 100.

(c)

If the quality of canned cherries falls below the standard prescribed in subsection (a) of this section, the label shall bear the general statement of substandard quality specified in section 10.020 (a), in the manner and form therein specified; but in lieu of such general statement of substandard quality, the label may bear the alternative statement "Below Standard in Quality," the blank to be filled in with the words specified after the corresponding number of each clause of subsection (a) of this section which such canned cherries fail to meet, as follows: (1) "Partially Pitted"; (2) "Small"; (3) "Mixed Sizes"; (4) "Thin Fleshed"; (5) "Blemished." Such alternative statement shall immediately and conspicuously precede or follow, without intervening written, printed, or graphic matter, the name "Cherries" and any words and statements required or authorized to appear with such name by section 27.030 (b).

Standard of Fill of Container

§ 27.032 *Canned cherries—Fill of container; label statement of substandard fill.*

(a)

The standard of fill of container for canned cherries is the maximum quantity of the optional cherry ingredient which can be sealed in the container and processed by heat to prevent spoilage, without crushing such ingredient.

(b)

If canned cherries fall below the standard of fill of container prescribed in subsection (a) of this section, the label shall bear the general statement of substandard fill specified in section 10.020 (b), in the manner and form therein specified.

CANNED PEARS

Definition and Standard of Identity

§ 27.020 *Canned pears—Identity; label statement of optional ingredients.*

(a)

(1) Canned pears are the food prepared from mature pears. Such pears, except in the case of whole pears, are cored and are in one of the following forms of units: peeled whole; unpeeled whole; peeled halves; unpeeled halves; peeled quarters; peeled slices; peeled dice; peeled mixed pieces of irregular sizes and shapes. Pears in each form of units are an optional pear ingredient.

(2) To one such pear ingredient is added one of the following optional liquid packing media:

(A) A sirup of refined sugar (sucrose), of not less than 10° Brix but less than 20° Brix;

(B) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 10° Brix but less than 20° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(C) A sirup of refined sugar (sucrose), of not less than 20° Brix but less than 30° Brix;

(D) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 20° Brix but less than 30° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(E) A sirup of refined sugar (sucrose), of not less than 30° Brix but less than 40° Brix;

(F) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 30° Brix but less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(G) A sirup of refined sugar (sucrose), of not less than 40° Brix;

(H) A sirup of refined sugar (sucrose) and refined corn sugar (dextrose) having a refined sugar (sucrose) equivalent of not less than 40° Brix (such refined sugar (sucrose) equivalent is calculated by adding the percent by weight of refined sugar (sucrose) in such sirup to two-thirds of the percent by weight of refined corn sugar (dextrose) in such sirup);

(I) Pear juice;

(J) Water.

(3) Spice may be added.

(4) Flavoring may be added.

(5) The food may be seasoned with the following optional seasoning:

(A) A vinegar.

(6) The food is sealed in a container and so processed by heat as to prevent spoilage.

(7) The liquid of the finished canned pears is not more than 35° Brix.

(b)

(1) The label shall name the optional pear ingredient present by the use of the word or words "Whole," "Unpeeled Whole," "Halves," "Unpeeled Halves," "Quarters," "Slices" or "Sliced," "Dice" or "Diced," or "Mixed Pieces of Irregular Sizes and Shapes."

(2) The label shall also bear the words "In Light Sirup" or "In Light Syrup," showing the presence of optional liquid packing medium (A) or (B); or the words "In Medium Sirup" or "In Medium Syrup," showing the presence of optional liquid packing medium (C) or (D); or the words "In Heavy Sirup" or "In Heavy Syrup," showing the presence of optional liquid packing medium (E) or (F); or the words "In Extra Heavy Sirup" or "In Extra Heavy Syrup," showing the presence of optional liquid packing medium (G) or (H); or the words "In Pear Juice," showing the presence of optional liquid packing medium (I); or the words "In Water," showing the presence of optional liquid packing medium (J).

(3) If spice is present, the label shall bear the word or words "Spiced" or "With Added Spice" or "Spice Added."

(4) If flavoring is present, the label shall bear the words "With Added Flavoring" or "Flavoring Added."

(5) If the optional seasoning ingredient is used, the label shall bear the words "Seasoned with Vinegar."

(6) If spice and flavoring, or spice, flavoring, and the optional seasoning, or spice and the optional seasoning, or flavoring and the optional seasoning, are present, the label

may bear a combination of words, as, for example, "With Added Spice, Flavoring, and Vinegar."

(7) Wherever the name "Pears" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the pears may so intervene.

Standard of Quality

§ 27.021 Canned pears—Quality; label statement of standard quality.

(a)

The standard of quality for canned pears is as follows:

(1) All units tested in accordance with the method prescribed in subsection (b) are pierced by a weight of not more than 300 grams;

(2) In the cases of halves and quarters, the weight of each unit is not less than $\frac{3}{8}$ ounce and $\frac{1}{2}$ ounce, respectively;

(3) In the cases of whole pears, halves, and quarters, the weight of the largest unit in the container is not more than twice the weight of the smallest unit therein;

(4) Except in the case of unpeeled pears, there is present in the finished canned pears not more than 1 square inch of peel per each 1 pound of net contents;

(5) Not more than 20 per cent of the units in the container are blemished with scab, hail injury, discoloration, or other abnormalities;

(6) In the cases of whole pears, halves, and quarters, all units are untrimmed, or are so trimmed as to preserve normal shape; and

(7) Except in the case of mixed pieces of irregular sizes and shapes, not more than 10 per cent of the units in a container of 10 or more units, and not more than 1 unit in a container of less than 10 units, is crushed or broken. (A unit which has lost its normal shape because of ripeness and which bears no mark of crushing shall not be considered to be crushed or broken.)

(b)

Canned pears shall be tested by the following method to determine whether or not they meet the requirements of clause (1) of subsection (a);

So trim a test piece from the unit as to fit, with peel surface up, into a supporting receptacle. If the unit is of different firmness in different parts of its peel surface, trim the piece from the firmest part. If the piece is unpeeled, remove the peel. The top of the receptacle is circular in shape, of $1\frac{1}{4}$ inches inside diameter, with vertical sides; or rectangular in shape, $\frac{3}{4}$ inch by 1 inch inside measurements, with ends vertical and sides sloping downward and joining at the center at a vertical depth of $\frac{3}{4}$ inch. Use the circular receptacle for testing units of such size that a test place can be trimmed therefrom to fit it. Use the rectangular receptacle for testing other units. Test no unit from which a test piece with rectangular peel surface at least $\frac{1}{2}$ inch by 1 inch cannot be trimmed. Test the piece by means of a round metal rod $\frac{5}{16}$ inch in diameter. To the upper end of the rod is affixed a device to which weight can be added. The rod is held vertically by a support through which it can freely move upward or downward. The lower end of the rod is a plane surface to which the vertical axis of the rod is perpendicular. Adjust the combined weight of the rod and device to 100 grams. Set the receptacle so that the surface of the test piece is held horizontally. Lower the end of the rod to the approximate center of such surface,

and add weight to the device at a uniform, continuous rate of 12 grams per second until the rod pierces the test piece. Weigh the rod and weighted device. Test all units in containers of 50 units or less, except those units too small for testing or too soft for trimming. Test at least 50 units, taken at random, in containers of more than 50 units; but if less than 50 units are of sufficient size and firmness for testing, test those which are of sufficient size and firmness.

(c)

If the quality of canned pears falls below the standard prescribed in subsection (a) of this section, the label shall bear the general statement of substandard quality specified in section 10.020 (a), in the manner and form therein specified; but in lieu of such general statement of substandard quality, the label may bear the alternative statement "Below Standard in Quality," the blank to be filled in with the words specified after the corresponding number of each clause of subsection (a) of this section which such canned pears fail to meet, as follows: (1) "Not Tender"; (2) "Small Halves," or "Small Quarters," as the case may be; (3) "Mixed Sizes"; (4) "Not Well Peeled"; (5) "Blemished"; (6) "Unevenly Trimmed"; (7) "Partly Crushed or Broken." Such alternative statement shall immediately and conspicuously precede or follow, without intervening written, printed, or graphic matter, the name "Pears" and any words and statements required or authorized to appear with such name by section 27.020 (b).

Standard of Fill of Container

§ 27.022 Canned pears—Fill of container; label statement of substandard fill.

(a)

The standard of fill of container for canned pears is the maximum quantity of the optional pear ingredient which can be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredient.

(b)

If canned pears fall below the standard of fill of container prescribed in subsection (a) of this section, the label shall bear the general statement of substandard fill specified in section 10.020 (b), in the manner and form therein specified.

Use of Canned Foods by British During War

A correspondent in the *London Times Trade and Engineering* for November, 1939, has written an article dealing with the use of canned foods in England during the war. He points out the difficulties in securing adequate supplies of fresh foods throughout the year, and the susceptibility of fresh foods to exposure from bacteria, the elements, and gas attack. Excerpts from this article, as reproduced in a circular of the Bureau of Foreign and Domestic Commerce, follow:

"It is in circumstances such as these that canned foods prove so useful—they are immune from every form of spoilage except excessively hard knocks or bullets, and even if a tin is broken open its contents are still usable for some time. The can is an inexpensive, self-contained form of protection, requiring nothing for upkeep, and it is a convenient small unit that each soldier can carry in his pack.

"To a less extent the civilian population is exposed to many of the same dangers as the soldier in the firing line, and certainly his food supplies are liable to be interrupted. Since the beginning of this year, the British government

has counselled all householders to lay in a small stock of provisions in a form in which they would keep and tinned foods were particularly recommended.

"Following up this advice the British Medical Association issued last July a two-penny pamphlet, of which thousands of copies were sold, describing the kinds and amounts of foodstuffs required for a week's supply for a family of five persons. Just over half the quantity consisted of canned foods, and it was noteworthy that all the animal protein was provided by canned beef and canned fish, while all the vitamin C came from canned tomatoes.

"Vegetables are frequently dear and scarce in winter, and their preparation and cooking consume expensive labor and fuel. The canned varieties, therefore, are likely to be in demand very soon. The normal huge demand for 'processed' peas (dried and then canned) will be greatly exceeded, and stocks of English canned spinach, celery, cauliflower, beans, and fresh peas probably will clear rapidly.

"Pork and beans, tomato products, and soups are all likely to be in big demand, but should be plentiful for some time yet" . . .

"Imported canned fruits in syrup, such as pineapple, peaches, pears, apricots, fruit salad, and grapefruit, will no doubt continue in great demand, particularly as, being ready to serve, they save labor and fuel. Imported 'solid pack' apples (lightly stewed and packed densely) are also a steady seller which will still be wanted. British canned black currants were recently shown to have an outstandingly high content of vitamin C, and on this account a great future is expected for this fruit, both home grown and imported. Plums and English berries of various kinds should all be canned on the biggest possible scale next year to save importing foreign fruits at unfavorable rates of exchange."

Ecuador Abolishes Import Permits

The government of Ecuador has abolished, as of January 1, 1940, the requirement for import permits on all merchandise, which had been in effect since May 26, 1938, according to the American Legation at Quito.

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